(b) The plan approval is partially based on commitment letters provided by the Executive Director of the Texas Air Control Board, dated September 5, 1989 and April 17, 1992.

(c) The requirements of section 160 through 165 of the Clean Air Act are not met for Federally-designated Indian lands. Therefore, the provisions of §52.21 (b) through (w) are hereby adopted and made a part of the applicable implementation plan and are applicable to sources located on land under the control of Indian governing bodies.

(d) The requirements of section 160 through 165 of the Clean Air Act are not met for new major sources or major modifications to existing stationary sources for which applicability determinations would be affected by dockside emissions of vessels. Therefore, the provisions of §52.21 (b) through (w) are hereby adopted and made a part of the applicable implementation plan and are applicable to such sources.

[57 FR 28098, June 24, 1992, as amended at 59 FR 46557, Sept. 9, 1994; 62 FR 44088, Aug. 19, 1997]

§52.2304 Visibility protection.

(a) The requirements of section 169A of the Clean Air Act are not met, because the plan does not include approvable procedures for protection of visibility in mandatory Class I Federal areas.

(b) Regulation for visibility monitoring. The provisions of §52.26 are hereby incorporated and made a part of the applicable plan for the State of Texas.

[50 FR 28553, July 12, 1985, as amended at 52 FR 45137, Nov. 24, 1987; 54 FR 7770, Feb. 23, 1989]

§52.2305 [Reserved]

§52.2306 Particulate Matter (PM_{10}) Group II SIP commitments.

On July 18, 1988, the Governor of Texas submitted a revision to the State Implementation Plan (SIP) that contained commitments for implementing all of the required activities including monitoring, reporting, emission inventory, and other tasks that may be necessary to satisfy the requirements of the PM_{10} Group II SIPs. The Texas Air Control Board adopted these revisions on May 13, 1988. The State of Texas has committed to comply with the PM_{10} Group II SIP requirements, as articulated in the FEDERAL REGISTER notice of July 1, 1987 (52 FR 24670), for the defined areas of Dallas, Harris, Lubbock, and Nueces counties as provided in the Texas PM_{10} Group II SIPs. In addition to the SIP, a letter from the Governor of Texas, dated July 18, 1988, stated that:

> * * * In the July 1, 1987 issue of the FEDERAL REGISTER, the U.S. Environmental Protection Agency announced the requirement that each state submit a committal SIP for PM_{10} Group II areas instead of full control strategies. States were also required to submit demonstrations of attainment and maintenance of the PM_{10} National Ambient Air Quality Standards. The TACB is committed to carrying out the activities contained in the enclosed proposed SIP to satisfy those requirements * * *.

[54 FR 25586, June 16, 1989]

§52.2307 Small business assistance program.

The Governor of Texas submitted on November 13, 1992 a plan revision to develop and implement a Small Business Stationary Source Technical and Environmental Compliance Assistance Program to meet the requirements of section 507 of the Clean Air Act by November 15, 1994. The plan commits to provide technical and compliance assistance to small businesses, hire an Ombudsman to serve as an independent advocate for small businesses, and establish a Compliance Advisory Panel to advise the program and report to the EPA on the program's effectiveness.

[59 FR 42765, Aug. 19, 1994]

§52.2308 Area-wide nitrogen oxides (NO_X) exemptions.

(a) The Texas Natural Resource Conservation Commission (TNRCC) submitted to the EPA on June 17, 1994, a petition requesting that the Dallas ozone nonattainment area be exempted from the NO_X control requirements of section 182(f) of the Clean Air Act (CAA) as amended in 1990. The Dallas nonattainment area consists of Dallas, Tarrant, Denton, and Collin counties. The exemption request was based on a photochemical grid modeling which